

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Egenera, Inc.,

Plaintiff,

v.

Cisco Systems, Inc.,

Defendant.

Civil Action No. 1:16-cv-11613-RGS

JURY TRIAL

Egenera's Motion for Partial Summary Judgment

For the reasons set forth in the accompanying Memorandum in Support, Plaintiff Egenera, Inc. ("Egenera") respectfully moves for summary judgment as to the following Cisco defenses: (1) inequitable conduct (Dkt. 103 at 14-17, "Tenth Defense"); (2) improper inventorship (Dkt. 103 at 14, "Ninth Defense"); (3) equitable doctrines (Dkt. 103 at 13, "Fifth Defense"); and (4) anticipation (Dkt. 103 at 13, "First Defense").

Local Rule 7.1 Certification

Pursuant to Local Rule 7.1, the undersigned counsel certifies that counsel for Egenera conferred with counsel for Cisco in a good faith effort to resolve or narrow the issues raised in this Motion. The parties were unable to narrow or resolve the issues.

Dated: August 8, 2018

Respectfully submitted,

By: /s/Christopher T. Bovenkamp

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this document filed through the Electronic Case Filing (“ECF”) system on August 8, 2018, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ James E. Quigley

James E. Quigley